

RUMSON ZONING BOARD
DECEMBER 18, 2018
MINUTES

The regularly scheduled meeting was called to order at 7:30 pm with a salute to the flag, followed by a roll call of: Chairman Brodsky, Mr. Lizotte, Mrs. Carras, Mr. Blum, Mr. Torcivia, Mr. Hofferber, Mr. Duddy
Absent: Mrs. Kirkpatrick, Mr. Shissias

Also present: Bernard Reilly, Esq., Fred Andre' and State Shorthand Reporting Services.

The notice requirements of the Open Public Meetings Act were stated as being met.

Mr. Reilly presented a Resolution prepared by Richard C. Leahey, Esquire approving the application of Ray and Filomena Gogel for property located at 14 Wilson Circle. The Board reviewed the following revisions to the architectural plans: Reduction in building height from 35 feet to 34.5 feet; Finished Floor Elevation lowered from 15.5 feet to 15 feet; Driveway Elevation lowered from 10 feet to 9 feet; rear Patio Elevation lowered from 10 feet to 9 feet; and the driveway landscape plan. After Board discussion Mr. Duddy made a Motion to approve the Resolution as drafted; Seconded by Mrs. Carras.

Roll call vote:

Ayes: Chairman Brodsky, Mrs. Carras, Mr. Blum, Mr. Duddy

Nays: None

Abstain: Mr. Lizotte, Mr. Torcivia, Mr. Hofferber

Mr. Reilly presented the Resolution approving the application of Victoria Prindiville for property located at 25 East River Road for the Board's consideration. The Board reviewed the repositioning of the garage with Michael J. Monroe. Mr. Monroe agreed to slide the garage back further towards the house an additional five feet. Mr. Hofferber made a motion to approve the Resolution with the revisions to the plans; Seconded by Mr. Blum.

Roll call vote:

Ayes: Chairman Brodsky, Mrs. Carras, Mr. Blum, Mr. Torcivia, Mr. Hofferber, Mr. Duddy

Nays: None

Abstain: Mr. Lizotte

Chairman Brodsky announced that the application of Sean and Murielle Walsh for property located at 14 Rosalie Avenue be presented for the Board's consideration. V. David Shaheen, Esq. representing the applicants addressed the Board.

Mr. Shaheen stated that the project was to expand the existing second floor and widen the existing attached garage two feet at the existing premises. The property is currently non-conforming in front setback, side setback, rear setback, maximum building coverage and maximum floor area. The new construction will increase the conformities in maximum building coverage where 1,975 square feet is permitted, 2,782 square feet is existing and 2,809 square feet is being proposed; and the maximum

floor area is permitted at 3,308 square feet, 3,353 square feet is existing and 3,680 square feet is being proposed.

Mr. Shaheen introduced Paul Damiano, a New Jersey licensed architect. Mr. Damiano was sworn in and the Board accepted his credentials. The following exhibits were submitted for the Board's consideration: A-1, Sheet A-1L (enlarged version) of the architectural plans; A-2, Aerial photograph of the subject property and surrounding area. Mr. Damiano described the architectural details of the project. Mr. Damiano stated that the project was simply to enlarge the one-car garage by 27 square feet to accommodate two cars. The applicant is also raising the roofline above the garage to create room for an additional upstairs bedroom. Mr. Damiano described the first and second floor plans. Mr. Damiano stated that the proposal is to add 300 square feet to the second floor and an additional 27 square feet to the first floor.

Mr. Shaheen introduced James Higgins, a New Jersey licensed professional planner. Mr. Higgins was sworn in and the Board accepted his credentials. Mr. Higgins testified that the variance being sought for the building coverage can be granted under the C-2 criteria where the benefit substantially outweighs the detriment. By providing a two-car garage you allow both residents to enter in to the building conveniently, safely and advances the purpose of the MLUL with regard to advancing the health, safety and general welfare. The variance for the floor area ratio can be granted under the standard of whether the site can accommodate the use despite the need for the variance. In this instance there's an expansion of approximately 327 square feet of floor area. A little over 400 square feet more than the ordinance permits but it's being done entirely within the footprint of the building. There will be no substantial negative impact on the zone plan or zoning ordinances should the Board look favorably on the application.

Mr. Reilly and Board Members questioned Mr. Higgins' justification for the grant of the variances.

Mr. Shaheen introduced Murielle Walsh. Mrs. Walsh the property owner was sworn in and addressed the Board. Mrs. Walsh explained the sequence of events since the 2004 approval was granted and the rationale for the application before the Board.

Chairman Brodsky and Board Members stated that they were sympathetic to the need for an expansion of the garage to accommodate two vehicles however, they were concerned with the massing of the structure and finding justification for the grant of the variances being requested.

Chairman Brodsky asked for public comments and/or questions. There being none, the public portion was closed.

Mr. Shaheen stated that the applicants have heard the Board's concerns and would request that the application be carried to the next Zoning Board meeting. Chairman Brodsky announced that the application will be carried to the January 15, 2019 meeting with notice, if necessary.

Chairman Brodsky announced that the application of Marino Mazzei for property located at 3 Hill Pond Lane be presented for the Board's consideration. Nancy Mazzei was sworn in and addressed the Board. Ms. Mazzei stated that she heard the Board's concerns with the previous application and would request that the application be carried to the next meeting. Chairman Brodsky stated the application will be carried to the January 15, 2019 Zoning Board meeting with notice being required.

Chairman Brodsky asked for comments on the November 20, 2018 Zoning Board Minutes. Mr. Hofferber made a motion to approve the Minutes with a minor correction; Seconded by Mr. Blum. By voice vote the November 20, 2018 Minutes were approved with Mr. Lizotte abstaining from the vote.

There being no further business before the Board, the meeting was adjourned at 9:00 p.m.

The next scheduled meeting will be January 15, 2019 at 7:30 p.m.

Respectfully submitted,
Michele MacPherson